

REMARKS

This application has been carefully reviewed in view of the above-referenced Office Action, and reconsideration is requested in view of the following remarks.

Interview Summary

The undersigned (Jerry Miller) spoke with Examiner Elpenord by telephone on 4/17/08 in order to obtain clarification on the rejection of claims 15 and 16 and appreciates the courtesies extended by the Examiner during that telephone call.

Regarding the Rejections under 35 U.S.C. §101

The undersigned and applicants disagree with the Office's position on claims 54-64, but have cancelled these claims in order to save costs and present new claims that are clearly allowable. Applicants have also cancelled the suggested segment of the application, but notes that the passage referred to does not equate the transmission medium to a storage medium. New dependent claims are presented to storage media.

Regarding the Rejections under 35 U.S.C. §112

Claims 15 and 16 were rejected as indefinite because "K values" were not properly specified as K_1 , K_2 , etc. These claims were otherwise indicated allowable (except that they are obviously objectionable as being dependent). Accordingly, the amended claims incorporating the features of these claims (see below) explicitly call out the specifics as required by the Office Action. Reconsideration and allowance are respectfully requested. It is noted that the claims call out the form of the equation, and not the specifics of the equation itself. In the absence of art to the contrary, they are clearly allowable and such is respectfully requested at an early date.

Regarding the Anticipation and Obviousness Rejections

In view of the indication of allowability of claims 15, 16, 50 and 51, Applicants have amended all claims to incorporate the features of these claims as follows:

Claim 1 now incorporates the features of claim 15.

Claim 31 now incorporates the features of claim 50.

New claim 66 incorporates the features of claim 16.

New claim 67 incorporates the features of claim 51.

In view of these amendments, all claims are believed clearly allowable. Reconsideration and allowance at an early date are respectfully requested.

Concluding Remarks

The undersigned additionally notes that many other distinctions exist between the cited art and the claims. However, in view of the clear allowability of the claims in view of the distinctions pointed out above, further discussion is believed to be unnecessary at this time. Failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position or an admission of any sort.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim unless an argument has been made herein that such amendment has been made to distinguish over a particular reference or combination of references. Applicants reserve the right to make additional arguments or pursue continuing applications for the original claims.

Several new claims are presented for the Examiner's consideration.

Interview Request

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date. If further matters remain to be resolved, the undersigned respectfully requests the courtesy of an interview. The undersigned can be reached at the telephone number below.

Respectfully submitted,

/Jerry A. Miller 30779/

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Dated: 5/19/2008

Application No.: 10/561,961